

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 15-CR-182-JHP
)	
SCOTT FREDERICK ARTERBURY,)	
)	
Defendant.)	

**DEFENDANT’S UNOPPOSED MOTION TO EXTEND DEADLINE FOR FILING
PRETRIAL MOTIONS**

Defendant Scott Frederick Arterbury, by and through his attorneys, moves the Court to extend the deadline for pretrial motions by two days to March 11, 2016. In support of his motion, Defendant Arterbury advises the Court:

- 1) In compliance with Local Criminal Rule 47.4, counsel for Mr. Arterbury has conferred with Mr. Andrew Hofland, Assistant United States Attorney, and is authorized to state that the Government has no objection to this Motion. Further, the defense would have no objection to the United States having an additional two days to respond to the defense’s motions.
- 2) The Indictment charges Mr. Arterbury with possession of child pornography, in violation of 18 U.S.C. §§ 2252(a)(4)(B) and 2252(b)(2). The sealed Indictment was filed on December 7, 2015, and unsealed on December 15, 2015. Mr. Arterbury had previously appeared on a complaint filed November 10, 2015. He made his first appearance and was arraigned on the Indictment December 15, 2015.

- 3) In an order dated February 29, 2016, the Court set the following schedule: motions due by March 9, 2016, responses due March 18, 2016, pretrial conference set for March 23, 2016, at 1:30 p.m., voir dire and trial briefs due April 8, 2016, and jury trial set for April 19, 2016, at 9:30 a.m.
- 4) At the pretrial conference held on February 24, 2016, defense counsel informed the Court that it had now received all of the discovery in the case. The discovery included three search warrants. Defense counsel reviewed the warrants, conducted research, and consulted with our in-house computer specialist.
- 5) The defense intends to challenge the search warrants and is in the process of researching and drafting the motion(s). Counsel needs an additional two days to finish preparing the motion(s) for submission to this Court.
- 6) Pursuant to Local Criminal Rule 47.8, counsel for Mr. Arterbury advises the Court that the requested continuance does not implicate the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.* Counsel is not requesting a continuance of the trial date.
- 7) Mr. Arterbury is on release and compliant with the rules of release.
- 8) Pursuant to Local Criminal Rule 47.3, a proposed order granting the requested relief is being submitted with this motion.

For the reasons stated above, Defendant Arterbury requests the Court extend the deadline for pretrial motions by two days to March 11, 2016.

Respectfully submitted,

OFFICE OF THE FEDERAL PUBLIC DEFENDER

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Counsel for the Defendant

CERTIFICATE OF SERVICE

I certify that on the 8th day of March, 2016, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant(s):

Mr. Andrew Hofland
Assistant United States Attorney
Office of the United States Attorney
110 West 7th Street, Suite 300
Tulsa, Oklahoma 74119

s/Julie K. Linnen

Julie K. Linnen